

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

GERALD ONWUKEME, ET AL.,

Plaintiffs,

vs.

COSTCO WHOLESALE CORPORATION,

Defendant.

CASE NO. **19-cv-07263-YGR**

**ORDER DENYING MOTION TO EXCLUDE
TESTIMONY OF DEFENDANT’S EXPERT**

Re: Dkt. No. 33

On December 9, 2020, plaintiffs filed a Motion to Exclude Testimony of defendant’s retained expert S.C. Mummert under Federal Rule 702 and *Daubert v. Merrell Dow Pharmaceuticals*, 509 U.S. 579 (1993). (Dkt. No. 33.) Having carefully considered the briefing and arguments submitted on the motion, and for the reasons stated on the record at the January 12, 2021 hearing, the Court **DENIES** plaintiffs’ Motion to Exclude Testimony.

As discussed at the hearing, given the uncertainty associated with the COVID-19 pandemic, the Court hereby **VACATES** the February 22, 2021 trial date to be reset at a later date. The expert discovery cutoff is **CONTINUED to January 29, 2021**. The deadline for the Joint Pretrial Conference Statement and the Trial Readiness Filings and Binder is **CONTINUED to February 12, 2021**, though the binder may be mailed to chambers after filing so long as it is received the following week. The Pretrial Conference is **CONTINUED to February 26, 2021**.

This case is **REFERRED** to the Judge Sallie Kim for settlement.

IT IS SO ORDERED.

This Order terminates Docket Number 33.

Dated: January 14, 2021

YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

United States District Court
Northern District of California